

SK:JPL

F. #2016R00083/OCDETF #NY-NYE-797

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

- against -

██████████ and
RUDY GOMEZ,

Defendants.

-----X

SUPERSEDING
INDICTMENT

Cr. No. 18-214 (S-1) (SJ)
(T. 21, U.S.C., §§ 841(b)(1)(A)(i),
841(b)(1)(A)(ii)(II), 846, 853(a),
853(p), 959(d), 960(b)(1)(A),
960(b)(1)(B)(ii), 963 and 970; T. 18,
U.S.C., §§ 3238 and 3551 et seq.)

THE GRAND JURY CHARGES:

COUNT ONE

(International Heroin and Cocaine Distribution Conspiracy)

1. In or about and between January 2015 and July 2018, both dates being approximate and inclusive, within the extraterritorial jurisdiction of the United States, the defendants ██████████ and RUDY GOMEZ, together with others, did knowingly and intentionally conspire to distribute one or more controlled substances, intending, knowing and having reasonable cause to believe that such substances would be unlawfully imported into the United States from a place outside thereof, which offense involved (a) a substance containing heroin, a Schedule I controlled substance, and (b) a substance containing cocaine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 959(a) and 960(a)(3). The amount of controlled substances involved in the conspiracy attributable to the defendants as a result of their own conduct, and the

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U.S. DISTRICT COURT E.D.N.Y.
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conduct of other conspirators reasonably foreseeable to them, was one kilogram or more of a substance containing heroin and five kilograms or more of a substance containing cocaine.

(Title 21, United States Code, Sections 963, 959(d), 960(b)(1)(A) and 960(b)(1)(B)(ii); Title 18, United States Code, Sections 3238 and 3551 et seq.)

COUNT TWO

(Conspiracy to Import Heroin and Cocaine)

2. In or about and between January 2015 and July 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants [REDACTED] and RUDY GOMEZ, together with others, did knowingly and intentionally conspire to import one or more controlled substances into the United States from a place outside thereof, which offense involved (a) a substance containing heroin, a Schedule I controlled substance, and (b) a substance containing cocaine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 952(a) and 960(a)(1). The amount of controlled substances involved in the conspiracy attributable to the defendants as a result of their own conduct, and the conduct of other conspirators reasonably foreseeable to them, was one kilogram or more of a substance containing heroin and five kilograms or more of a substance containing cocaine.

(Title 21, United States Code, Sections 963, 960(b)(1)(A) and 960(b)(1)(B)(ii); Title 18, United States Code, Sections 3238 and 3551 et seq.)

COUNT THREE

(Conspiracy to Possess Heroin and Cocaine with Intent to Distribute)

3. In or about and between January 2015 and July 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants [REDACTED] and RUDY GOMEZ, together with others, did

knowingly and intentionally conspire to distribute and possess with intent to distribute one or more controlled substances, which offense involved (a) a substance containing heroin, a Schedule I controlled substance, and (b) a substance containing cocaine, a Schedule II controlled substance, contrary to Title 21, United States Code, Section 841(a)(1). The amount of controlled substances involved in the conspiracy attributable to the defendants as a result of their own conduct, and the conduct of other conspirators reasonably foreseeable to them, was one kilogram or more of a substance containing heroin and five kilograms or more of a substance containing cocaine.

(Title 21, United States Code, Sections 846, 841(b)(1)(A)(i) and 841(b)(1)(A)(ii)(II); Title 18, United States Code, Sections 3238 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

4. The United States hereby gives notice to the defendants that, upon their conviction of any of the offenses charged herein, the government will seek forfeiture in accordance with Title 21, United States Code, Sections 853(a) and 970, which require any person convicted of such offenses to forfeit: (a) any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of such offenses, and (b) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;


it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a), 853(p) and 970))

A TRUE BILL


FOREPERSON

RICHARD P. DONOGHUE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: 
ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. O.136

F. # 2016R00083/OCDEF# NY-NYE-797
FORM DBD-34
JUN. 85

No. 18-CR-214 (S-1) (SJ)

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

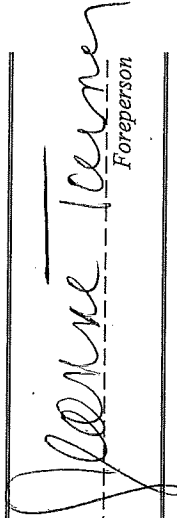
██████████ and RUDY GOMEZ,

Defendants.

SUPERSEDING INDICTMENT

(T. 21, U.S.C. §§ 841(b)(1)(A)(i), 841(b)(1)(A)(ii)(II), 846, 853(a),
853(p), 959(d), 960(b)(1)(A), 960(b)(1)(B)(ii), 963 and 970; T. 18,
U.S.C., §§ 3238 and 3551 et seq.)

A true bill.


Foreperson

Filed in open court this _____ day,
of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Jonathan P. Lax, Assistant U.S. Attorney (718) 254-6139